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INFO RUEHWH/WESTERN HEMISPHERIC AFFAIRS DIPL POSTS PRIORITY

RUEKJCS/JOINT STAFF WASHDC PRIORITY

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RHEHAAA/NATIONAL SECURITY COUNCIL WASHINGTON DC PRIORITY

RUEKJCS/SECDEF WASHDC PRIORITY

RUMIAAA/USSSOUTHCOM MIAMI FL PRIORITY

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SUBJECT: CONGRESS SHELVES AMNESTY DECREE AND PULLS HONDURAS OUT OF ALBA

REF: TEGUCIGALPA 00026

**¶1. (SBU) Summary:** With less than two weeks remaining before its term ends on January 21, the Congress on January 12 did not, as expected, take up for discussion a draft decree providing political amnesty to all actors in Honduras' political crisis. The likely motivation was the opposition to the bill by both hard right elements among de facto regime supporters and opponents and calls by civil society organizations for greater analysis of its implications. The Congress on January 12 also withdrew Honduras from the Bolivarian Alternative for the Americas (ALBA) which it had joined on August 25, 2008. Interestingly, the Honduran National Congress in September 2008 approved membership in ALBA under the legislative leadership and guiding hand of then Congress President Micheletti. In the fall of 2008, Micheletti and Zelaya were close allies and Zelaya strongly supported Micheletti's unsuccessful bid to win the Liberal Party presidential nomination. End Summary.

**¶2. (U)** A draft decree providing political amnesty to all actors in Honduras' political crisis was presented to the Executive Board of the Congress and its discussion was expected to begin on the floor of the Congress on January 11 (reftel). However, the Congress' Executive Board did not place the bill on the agenda of items to be discussed before the Congress ends its term on January 21. The Board's action was likely prompted by the opposition to the bill by both the hard right elements among de facto regime supporters, in particular the Civic Democratic Union (UCD), and de facto regime opponents. Non-governmental and religious organizations had asked Congress not to place the bill on its roster of items for discussion in order to allow them to study its implications. According to the press, President of the Bar Association Oscar Garcia stated that an in-depth analysis of the draft decree was necessary. Some are calling for creation of a Truth Commission, as provided in the Tegucigalpa-San Jose Accord, and for the commission to complete its work before the question of amnesty is discussed by Congress. According to the press, Liberal Party whip Marco Antonio Andino stated that there needs to be wider distribution of the draft decree and discussion of it by all sectors of society.

**¶3. (U)** The Congress on January 12 pulled Honduras out of ALBA, which it had joined on August 25, 2008. The bill, entitled Denunciation of the Declaration of Adherence to the Bolivarian Alternative for the Americas, ALBA and the Annexed Declaration" was presented to Congress on December 16 by the de facto regime's Ministry to the Presidency. On that date, a special congressional commission was formed to examine the

bill and report on it to the full Congress. The commission was composed of the following members of Congress: Manuel Fiallos, Juan de la Cruz Avelar, and Victor Sabillon of the Liberal Party of President Jose Manuel "Mel" Zelaya and de facto regime leader Roberto Micheletti; Rolando Dubon and Antonio Rivera of the National party of president-elect Porfirio "Pepe" Lobo; Juan Velasquez of the Christian Democratic Party; and Jose Toribio of the Social Democratic Innovation and Unity Party (PINU). The committee's findings were submitted to the full Congress on January 12. Congressman Fiallos made a motion that the three debates required on the bill be dispensed with and that Honduras be withdrawn from ALBA. His motion was approved by simple majority by a show of hands.

¶4. (SBU) The reason given by legislators for the decision to annul the treaty was that while ALBA provided a sizable level of development assistance resources for Honduras, ultimately the agreement had paved the way for Venezuelan and Cuban intervention in the internal affairs of Honduras.

Interestingly, the Honduran National Congress in September 2008 approved membership in ALBA under the legislative leadership and guiding hand of then Congress President Micheletti. In the fall of 2008, Micheletti and Zelaya were close allies and Zelaya strongly supported Micheletti's unsuccessful bid to win the Liberal Party presidential nomination.

LLORENS